

Meeting Date: 08-26-08

AGENDA REPORT

Agenda Item # 5B.1



City of Santa Clara, California



DATE: August 20, 2008

TO: City Manager for Council Action

FROM: Director of Public Works/City Engineer

SUBJECT: Agreement and Covenant Running with the Land with Mission Terrace, LLC, to defer the installation of City underground electric improvements at 1883 Agnew Road (APN 097-08-102)

EXECUTIVE SUMMARY:

As a condition of the development of the subject property (Site 6765), the City's Electric Department requires underground electric improvements (Chapter 17 of the City Code) for this development. The owner of property has requested that the City defer a portion of these underground electric improvements until needed. An Agreement (SC 18,273) to defer installation of said improvements until called for by the City has been prepared by staff, approved for form by the City Attorney, and executed by the property owner. A copy of the Agreement has been placed in Council offices for review.

ADVANTAGES AND DISADVANTAGES OF ISSUE:

Approval of this Agreement insures that code-required improvements will be installed by the property owner if needed.

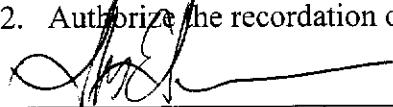
ECONOMIC/FISCAL IMPACT:

None.

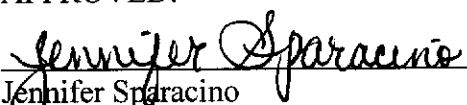
RECOMMENDATION:

That the Council:

1. Approve and authorize the City Manager to execute an Agreement and Covenant Running with the Land with Mission Terrace, LLC, to defer the installation of City underground electric improvements at 1883 Agnew Road (APN 097-08-102; SC 18,273) until called for by City; and
2. Authorize the recordation of the Agreement.

For 
Rajeev Batra
Director of Public Works/City Engineer

APPROVED:


Jennifer Sparacino
City Manager

Documents Related to this Report: Agreement

CITY OF SANTA CLARA
AGENDA MATERIAL ROUTE SHEET

Council Date: 8-26-08

SUBJECT: S.C. 18,273 – Agreement and Covenant Running With the Land
1883 Agnew Road

CERTIFICATION

The proposed Agreement regarding the deferment of construction of portion of required underground electric improvements has been reviewed and is hereby certified.

PUBLICATION REQUIRED:

The attached Notice/Resolution/Ordinance is to be published _____ time(s) at least _____ days before the scheduled meeting/public hearing/bid opening/etc., which is scheduled for _____, 200__.

AUTHORITY SOURCE FOR PUBLICATION REQUIREMENT:

Federal Codes:

Title _____ U.S.C. § _____
(Titles run 1 through 50)

California Codes:

Code _____ § _____
(I.e., Government, Street and Highway, Public Resources)

Federal Regulations:

Title _____ C.F.R. § _____
(Titles run 1 through 50)

California Regulations:

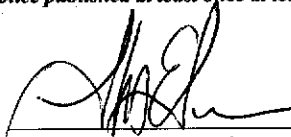
Title _____ California Code of Regulations § _____
(Titles run 1 through 28)

City

City Charter § _____ (I.e., 1310. Public Works Contracts. Notice published at least once at least ten days before bid opening)

City Code § _____

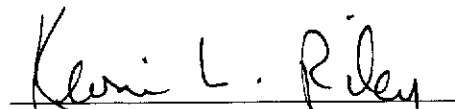
1. As to City Functions, by

 for DPW
Department Head

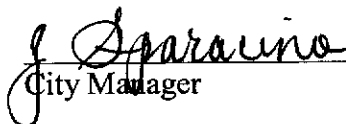
2. As to Legality, by


City Attorney's Office / CAO Assignment No 08. 1138

3. As to Environmental
Impact Requirements, by


Director of Planning and Inspection

4. As to Substance, by


City Manager

Revision Date June 7, 2005